

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1283**

---

**Introduced by Assembly Member Smyth**

February 27, 2009

---

~~An act to amend Section 30330 of the Public Resources Code, relating to coastal resources. An act to add Section 316 to the Public Utilities Code, relating to electricity.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1283, as amended, Smyth. ~~California Coastal Commission. Public Utilities Commission: review of pending legislation.~~

*Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires the commission to prepare and submit to the Governor and the Legislature a written report annually before February 1 of each year on the costs of programs and activities conducted by an electrical corporation or gas corporation that has more than a specified number of customers in California.*

*This bill would require the commission to advise the Legislature whenever it comes to the attention of the commission that a bill that is pending before the Legislature would likely (1) reduce the reliability of the electrical transmission and distribution system in any area of the state, (2) result in a shortage of electricity needed to meet projected demand in any area of the state, (3) impair the ability of retail sellers or local publicly owned electric utilities to meet their renewables portfolio standard, or (4) impair the ability of any electrical corporation, local publicly owned electric utility, electric service provider, or community choice aggregator to meet its emission reduction goals*

*pursuant to the California Global Warming Solutions Act of 2006. The bill would require the commission to advise the Governor whenever it comes to the attention of the commission that an enrolled bill would likely have any of these 4 effects. The bill would require the commission to consult with the Energy Commission when advising the Legislature or Governor on any of the 4 effects and to consult with the Independent System Operation when advising the Legislature or Governor with respect to likely effects (1) or (2).*

~~Under existing law, the California Coastal Commission has the primary responsibility for the implementation of the provisions of the California Coastal Act, unless otherwise specified, and is designated as the state coastal zone planning and management agency for any and all purposes, and is authorized to exercise any and all powers set forth in the Federal Coastal Zone Management Act of 1972 or any amendment thereto or any other federal act heretofore or hereafter enacted that relates to the planning or management of the coastal zone.~~

~~This bill would make technical, nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 316 is added to the Public Utilities Code,
- 2     to read:
- 3     316. (a) The commission shall advise the Legislature whenever
- 4     it comes to the attention of the commission that a bill that is
- 5     pending before the Legislature would likely have any of the
- 6     following effects:
- 7         (1) Reducing the reliability of the electrical transmission and
- 8         distribution system in any area of the state.
- 9         (2) Result in a shortage of electricity needed to meet projected
- 10        demand in any area of the state.
- 11        (3) Impairing the ability of retail sellers to meet their renewables
- 12        portfolio standard adopted pursuant to Article 16 (commencing
- 13        with Section 399.11) of Chapter 2.3 or impairing the ability of a
- 14        local publicly owned electric utility to meet its renewables portfolio
- 15        standard adopted pursuant to Section 387.
- 16        (4) Impairing the ability of any electrical corporation, local
- 17        publicly owned electric utility, electric service provider, or

community choice aggregator to meet its emission reduction goals pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(b) The commission shall advise the Governor whenever it comes to the attention of the commission that an enrolled bill would likely have any of the effects set forth in subdivision (a).

(c) The commission shall consult with the Energy Commission in advising the Legislature pursuant to subdivision (a) or the Governor pursuant to subdivision (b). The commission shall consult with the Independent System Operator in advising the Legislature pursuant to paragraphs (1) and (2) of subdivision (a) and in advising the Governor pursuant to subdivision (b), relative to the two effects described in paragraphs (1) and (2) of subdivision (a).

**SECTION 1.** ~~Section 30330 of the Public Resources Code is amended to read:~~

~~30330. (a) The commission, unless specifically otherwise provided, shall have the primary responsibility for the implementation of this division and is designated as the state coastal zone planning and management agency for any and all purposes, and may exercise any and all powers set forth in the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451, et seq.) or any amendment thereto or any other federal act heretofore or hereafter enacted that relates to the planning or management of the coastal zone.~~

~~(b) In addition to any other authority, the commission may, except for a facility defined in Section 25110, grant or issue any certificate or statement required pursuant to federal law relating to the planning or management of the coastal zone that an activity of any person, including any local, state, or federal agency, is in conformity with this division. With respect to any project outside the coastal zone that may have a substantial effect on the resources within the jurisdiction of the San Francisco Bay Conservation and Development Commission, established pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, and for which any certification is required pursuant to the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451, et seq.); that certification shall be issued by the Bay Conservation and Development Commission. Moreover, the commission may review~~

- 1 ~~and submit comments for the project if it affects resources within~~
- 2 ~~the coastal zone.~~

O